



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-5604

**Type:** Zoning Case

**In control:** City Council A Session

**On agenda:** 12/3/2020

**Title:** ZONING CASE Z2020-10700194 S (Council District 3): Ordinance on an Application by the City of San Antonio Planning Department amending the Zoning District Boundary from R-4 Residential Single-Family District, MF-25 Low Density Multi-Family District, MF-33 Multi-Family District, O-1 Office District, O-2 High-Rise Office District, C-2 Commercial District, C-3 General Commercial District, C-3R General Commercial Restrictive Alcohol Sales and I-1 General Industrial District including all applicable overlay districts, AHOD Airport Hazard Overlay District, MLOD-3 Martindale Army Airfield Overlay and MLR-2 Military Lighting Region 2 to R-4 Residential Single-Family District, R-5 Residential Single-Family District, O-1 Office District, C-1 Light Commercial District, C-1 S Light Commercial District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week and C-2 Commercial District with all overlay districts remaining unchanged including AHOD Airport Hazard Overlay District, MLOD-3 Martindale Army Airfield Overlay and MLR-2 Military Lighting Region 2 as applicable on NCB 3720, Block 1, Lots 19, 20, 21, 22, 23, 47, 48, 51; NCB 3721, Block 2, Lots 1, 2, and the N 15 ft of 3 EXC W 2.43 ft, Lots 4, 5 and the S 15 ft of 3 Save & EXC W 2.43 ft of 4, 5, and S 15 ft of 3, Lots 11, 12, 13 and S 3 ft of 10 EXC W 3.11 ft, Lots 14, 15, 16 and 17 EXC W 3.11 ft, Lots 18, 19, 20 and 21 EXC W 3.11 ft, Lots 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 53; NCB 3722, Block 3, Lots 14, 15, 22, 23, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56; NCB 3723, Block 4, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; NCB 10365, Block 2, Lots 17, 20 and W 55 ft of 21, Lots 22, 23 and E 55 ft of 21, Lots 24, 25 & 26; NCB 13604, Block 1, Lot 14; NCB 10920, Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24; NCB 10920, Block 14, Lots 1 and 2, multiple addresses located between/on the 3100 and 3300 Blocks of Clark Avenue, 3600 and 4000 Blocks of Bremen Avenue, 3300 Block of East Southcross Boulevard, 4700 Block of Pecan Valley Drive, 9000 and 9200 Blocks of Mission Brook, 2400 Block of Mission Vista and the 8900 Block of Mission Top. Staff and Zoning Commission recommend Approval.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit Plan Area 1A, 2. Exhibit Plan Area 1B, 3. Exhibit Plan Area 1C, 4. ZC Minutes, 5. Draft Ordinance, 6. Ordinance 2020-12-03-0864

Date	Ver.	Action By	Action	Result
12/3/2020	1	City Council A Session		

**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Bridgett A. White, AICP

**COUNCIL DISTRICTS IMPACTED:** Council District 3

**SUBJECT:** Zoning Case Z2020-10700194 S

**SUMMARY:**

**Current Zoning:** R-4, MF-25, MF-33, O-1, O-2, C-2, C-3, C-3R, I-1, including all applicable overlay districts



**Requested Zoning:** R-4, R-5, O-1, C-1, C-1 S Specific Use Authorization for a Bar And/Or Tavern Without Cover Charge 3 or More Days Per Week, and C-2, including all applicable overlay districts

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 15, 2020

**Case Managers:** Jennifer Sheppard, Senior Planner / Brenda V. Martinez, Planning Coordinator

**Property Owner:** Multiple Property Owners

**Applicant:** City of San Antonio Planning Department

**Location:** Multiple addresses located between/on the 3100 and 3300 Blocks of Clark Avenue, 3600 and 4000 Blocks of Bremen Avenue, 3300 Block of East Southcross Boulevard, 4700 Block of Pecan Valley Drive, 9000 and 9200 Blocks of Mission Brook, 2400 Block of Mission Vista, and the 8900 Block of Mission Top.

**Legal Description** NCB 3720, Block 1, Lots 19, 20, 21, 22, 23, 47, 48, 51; NCB 3721, Block 2, Lots 1, 2, and the N 15 ft of 3 EXC W 2.43 ft, Lots 4, 5 and the S 15 ft of 3 Save & EXC W 2.43 ft of 4, 5, and S 15 ft of 3, Lots 11, 12, 13 and S 3 ft of 10 EXC W 3.11 ft, Lots 14, 15, 16 and 17 EXC W 3.11 ft, Lots 18, 19, 20 and 21 EXC W 3.11 ft, Lots 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 53; NCB 3722, Block 3, Lots 14, 15, 22, 23, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56; NCB 3723, Block 4, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; NCB 10365, Block 2, Lots 17, 20 and W 55 ft of 21, Lots 22, 23 and E 55 ft of 21, Lots 24, 25 & 26; NCB 13604, Block 1, Lot 14; NCB 10920, Block 11, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24; NCB 10920, Block 14, Lots 1 and 2

**Total Acreage:** Approximately 13 Acres

**Notices Mailed**

***Plan Area 1A***

**Subject Property Owners:** 41

**Owners of Property within 200 feet:** 109

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association and Highland Park Neighborhood Association.

**Applicable Agencies:** None

***Plan Area 1B***

**Subject Property Owners:** 6

**Owners of Property within 200 feet:** 61

**Registered Neighborhood Associations within 200 feet:** Highland Hills Neighborhood Association and Pecan Valley Neighborhood Association.

**Applicable Agencies:** None

***Plan Area 1C***

**Subject Property Owners:** 26

**Owners of Property within 200 feet:** 62

**Registered Neighborhood Associations within 200 feet:** Mission Creek HOA (Not registered with the City of San Antonio)

**Applicable Agencies:** None

**Property Details**

**Property History:**

**Plan Area 1A** - The subject area consists of 41 properties that are located within the City Limits as they were recognized in 1938 and were originally zoned under the 1938 zoning code. A majority of the current single-family residences were



previously zoned "R-3" Multiple Family Residence District under the 1965 zoning ordinance. Upon adoption of the 2001 Unified Development Code, the previous base zoning district converted to the current "MF-33" Multi-Family District.

**Plan Area 1B** - The subject area consists of 6 properties that were annexed into the City of San Antonio in 1952. The properties were originally zoned under the 1938 and 1965 zoning code. These sites were rezoned in 1963, 1965 and 1967. The current designations that are in place are the result of the 2001 adoption of the Unified Development Code.

**Plan Area 1C** - The subject area consists of 26 properties that were annexed into the City of San Antonio in 1952. In 2002, the subject property was rezoned from "I-1" General Industrial District to "MXD" Mixed Use District. The subject area was then subsequently rezoned from "MXD" Mixed Use District to "MF-25" Multi-Family District in 2003.

**Topography:** The areas do not contain any abnormal physical features such as slope. However, the Plan Area 1A appears to be within the Lower SAR Watershed, Plan Area 1B is located within the Salado Creek Watershed, and Plan Area 1C is within the Upper SAR Watershed.

### **Adjacent Base Zoning and Land Uses**

#### ***Plan Area 1A***

**Direction:** North and South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences

**Direction:** East

**Current Base Zoning:** R-5

**Current Land Uses:** Single-Family Residences

**Direction:** West

**Current Base Zoning:** NP-8, RM-4, and C-3

**Current Land Uses:** Single-Family Residences, Vacant Lots, and a Retail Store

#### ***Plan Area 1B***

**Direction:** North

**Current Base Zoning:** R-5, MF-33, and C-2

**Current Land Uses:** Single-Family Residences, Apartments, and a Retail Strip Center

**Direction:** West and South

**Current Base Zoning:** R-5

**Current Land Uses:** Single-Family Residences

**Direction:** East

**Current Base Zoning:** MF-33, MXD, C-2, and C-3

**Current Land Uses:** Apartments, Gas Station, Parking Lot, and Walmart

#### ***Plan Area 1C***

**Direction:** Northwest and South

**Current Base Zoning:** R-4

**Current Land Uses:** Single-Family Residences

**Direction:** East

**Current Base Zoning:** NP-10

**Current Land Uses:** Undeveloped Land

### **Overlay and Special District Information:**

#### ***Plan Area 1A***



**"AHOD"**

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**"MLOD-3"**

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

***Plan Area 1B***

**"MLOD-3"**

All surrounding properties carry the "MLOD-3" Military Lighting Overlay District, due to their proximity to Martindale Army Airfield. The "MLOD-3" does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

***Plan Area 1C***

**"AHOD"**

All surrounding properties carry the "AHOD" Airport Hazard Overlay District, due to their proximity to an airport or approach path. The "AHOD" does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Transportation**

**Thoroughfare:** Clark Avenue

**Existing Character:** Secondary Arterial Type B Street

**Proposed Changes:** None Known

**Thoroughfare:** Bremen Avenue

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** East Southcross Blvd and Pecan Valley Drive

**Existing Character:** Secondary Arterial Type A Street

**Proposed Changes:** None Known

**Thoroughfare:** Mission Brook, Mission Vista, and Mission Top

**Existing Character:** Local Streets

**Proposed Changes:** None Known

**Public Transit:**

Plan Area 1A - Routes 32 and 232

Plan Area 1B - Route 515

Plan Area 1C - There are no VIA bus routes within walking distance of the subject properties.

**Traffic Impact:** A Traffic Impact Analysis (TIA) analysis is not required.

**Parking Information:** NA

**ISSUE:**

None.

**ALTERNATIVES:**

A denial of this zoning request would result in the subject properties maintaining the current zoning classifications and



remaining inconsistent with the Brooks Area Regional Center Plan.

**FISCAL IMPACT:**

The applicant is the City of San Antonio. No zoning fees are required.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject properties are located within the Brooks Area Regional Center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission (11-0) recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on the approval criteria below.

**1. Consistency:**

The Planning Department received direction from the City Council to implement the Brooks Area Regional Center Plan in 2019 via ordinance number 2019-05-02-0363. The subject properties are currently inconsistent with the adopted future land use classifications. The properties are in the north and southwest parts of the plan area and are designated on the Future Land Use Map as Low-Density Residential, Neighborhood Mixed-Use, and Urban Mixed-Use. The rezoning proposal is consistent with the adopted future land use classifications.

**2. Adverse Impacts on Neighboring Lands:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this proposed rezoning. The zoning proposal is consistent with the established development pattern of the surrounding area and will allow the subject properties to be developed with uses similar to those within the vicinity.

**3. Suitability as Presently Zoned:**

The current zoning is not compatible with the surrounding residential uses and is inconsistent with the adopted future land use of the Brooks Area Regional Center Plan. Staff supports the rezoning proposal as the proposed zoning districts are consistent with the development pattern of the area. This area is predominately characterized by single-family residences generally not having frontage on any major arterial road. Staff believes that the proposed rezoning would serve to maintain the integrity of the neighborhoods while balancing the needs and future potential of those properties along the periphery of these neighborhoods.

**4. Health, Safety and Welfare:**

Staff has not found evidence of likely adverse impacts on neighboring lands in relation to this zoning change proposal. The proposed zoning would facilitate more neighborhood and community-oriented uses that would serve adjacent neighborhood residents and the nearby community.

**5. Public Policy:**

This first set of rezoning cases are within the Brooks Area Regional Center Plan, which was adopted on May 2, 2019. This plan was adopted as a component of the City's SA Tomorrow Comprehensive Plan. The Regional Center Plan focuses on growth and new development in appropriate areas while ensuring the protection of established single-family neighborhoods, sensitive lands, and natural features. The rezoning request, which was initiated by the City of San Antonio via Ordinance 2019-05-02-0363, is intended to align the zoning of properties with the adopted Future Land Use of the Brooks Area Regional Center Plan. Land Use Recommendation #1 in the Brooks Area Regional Center Plan prioritizes City-initiated rezoning for single-family residential areas that currently have multifamily, commercial, or industrial zoning.

The Brooks Area was analyzed and divided into several rezoning phases to ensure that mapping and notifications are clear, concise, and understandable for the general public. Staff conducted site visits and compiled information for each subject property consisting of current land use designation and zoning, current use, and Bexar County Appraisal District



(BCAD) property data to prepare the rezoning proposal.

**6. Size of Tract:**

The subject properties in Plan Areas 1A, 1B, and 1C combined consist of approximately 13 acres of land.

**7. Other Factors:**

The Planning Department hosted two Open Houses in March 2020 and communicated via personalized letters that were mailed to each of the affected property owners. The direct mailer sent to affected property owners detailed the adopted future land use classification as well as the current and proposed zoning of their particular property.

Spanish translation was provided at the Open Houses, and the personalized letters and legal notices also included Spanish translation.